

SO ORDERED.



TIFFANY & BOSCO
P.A.

Dated: February 08, 2011

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A handwritten signature in black ink, appearing to read "Charles G. Case, II", is written over a horizontal line.

CHARLES G. CASE, II
U.S. Bankruptcy Judge

Mark S. Bosco
State Bar No. 010167
Leonard J. McDonald
State Bar No. 014228
Attorneys for Movant

10-30562

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

IN RE:

Victoria O. Hamrick and Patrick Hamrick
Debtors.

No. 2:10-BK-33136-RTBP

Chapter 7

ORDER

The Bank of New York Mellon, fka The Bank of
New York as Successor in interest to JP Morgan
Chase Bank NA as Trustee for Bear Stearns Asset-
Backed Securities Trust 2004-SD3, Asset-Backed
Certificates, Series 2004-SD3

Movant,

vs.

Victoria O. Hamrick and Patrick Hamrick, Debtors,
William E. Pierce, Trustee.

Respondents.

(Related to Docket #18)

Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any, and no objection having been received, and good cause appearing therefore,

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2 IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed
3 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real
4 property which is the subject of a Deed of Trust dated September 12, 2003 and recorded in the office of
5 the Yavapai County Recorder wherein The Bank of New York Mellon, fka The Bank of New York as
6 Successor in interest to JP Morgan Chase Bank NA as Trustee for Bear Stearns Asset-Backed Securities
7 Trust 2004-SD3, Asset-Backed Certificates, Series 2004-SD3 is the current beneficiary and Victoria O.
8 Hamrick and Patrick Hamrick have an interest in, further described as:

9 LOT 186, OF WILLOW LAKE ESTATES UNIT III, ACCORDING TO THE PLAT OF
10 RECORD IN THE OFFICE OF THE COUNTY RECORDER OF YAVAPAI COUNTY,
11 ARIZONA. RECORDED IN BOOK 22 OF MAPS, PAGE 51; EXCEPTING THEREFROM
12 ALL COAL AND OTHER MINERALS AS RESERVED TO THE UNITED STATES IN
13 PATENT TO SAID LAND RECORDED AS BOOK 143 OF DEEDS, PAGES 198-200.

14 IT IS FURTHER ORDERED that Movant may contact the Debtors by telephone or written
15 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance
16 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement
17 with the Debtors. However, Movant may not enforce, or threaten to enforce, any personal liability
18 against the Debtors if Debtors' personal liability is discharged in this bankruptcy case.

19 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter
20 to which the Debtor may convert.
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